

UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF OKLAHOMA

MARK KINKEAD, )  
                    )  
PLAINTIFF,       )  
                    )  
vs.                ) CASE No. 08-CV-562-JHP-FHM  
                    )  
TERRY DURBOROW, et al., )  
                    )  
DEFENDANTS.       )

**OPINION AND ORDER**

Plaintiff's Motion for Protective Order or in the Alternative, Response to Defendant's Motion to Compel Discovery [Dkt. 98] and Defendants Terry Durborow and Jimmie Sooter's Motion to Compel [Dkt. 99] are before the Court for decision. The Court has also considered Plaintiff's Responses to Defendant Motion for Another Extension and Motion to Compel Document Production [Dkt. 104] as it relates to the Motion to Compel. The motions concern whether Defendants may obtain, at Defendants' expense, copies of approximately 1,100 pages of documents which are responsive to Defendants' discovery requests.

After consideration, it is hereby ORDERED that Plaintiff allow the Correctional Center staff to copy the documents and provide the copies to Defendants at Defendants' expense.

Plaintiff's Motion for Protective Order or in the Alternative, Response to Defendant's Motion to Compel Discovery [Dkt. 98] is DENIED. Defendants Terry Durborow and Jimmie Sooter's Motion to Compel [Dkt. 99] is GRANTED. However, Defendants' request for an award of attorney fees and costs is denied.

SO ORDERED 24th this day of June, 2010.

  
**FRANK H. McCARTHY**  
UNITED STATES MAGISTRATE JUDGE